

IN THE CIRCUIT COURT OF COLE COUNTY, MISSOURI

FILED

NOV 21 2006

BRENDA A. UMSTATTD
CLERK CIRCUIT COURT
COLE COUNTY, MISSOURI

W. DALE FINKE, Director)
Department of Insurance, Financial)
Institutions and Professional Registration)
State of Missouri,)
Plaintiff,)
v.)
GERALD W. CUMMINGS,)
Defendant.)

Case No. _____

PETITION FOR JUDICIAL REVIEW

COMES NOW Plaintiff W. Dale Finke, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration ("Department of Insurance"), through counsel, and for his Petition for Judicial Review pursuant to RSMo Section 536.100 and Section 536.110, states as follows:

1. On November 7, 2006, the Administrative Hearing Commission issued a Decision against the Plaintiff (Case No. 05-1686 DI).
2. This was a final decision in a contested case and Plaintiff is aggrieved thereby.
3. Plaintiff is a governmental agency of the State of Missouri headquartered in City of Jefferson and venue is proper in Cole County pursuant to Section 536.110, RSMo.
4. The Decision is, for any other reason, unauthorized by law.

WHEREFORE, based on the foregoing, Plaintiff respectfully requests that the Court grant Judicial Review in conformance with Chapter 536 of the Revised Statutes of Missouri.

Respectfully submitted,

Kevin Hall

KEVIN HALL

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ATTORNEY FOR PLAINTIFF:

W. Dale Finke, Director

Missouri Department of Insurance,
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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that a true and correct copy of the Petition for Judicial Review was sent via registered mail on this 22nd day of November, 2006 to:

Gerald Cummings
RR 1 Box 19
Amsterdam, MO 64723

Kevin Hall

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